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2  
3 BILL NO. <sup>5</sup>~~R~~-76-02-18

4 SPECIAL ORDINANCE NO. S- 54-76

5 AN ORDINANCE approving a contract awarded on a unit  
6 cost basis and repealing Special Ordinance No. S-200-75

7 WHEREAS, heretofore, on August 26, 1975, the Common Council of the  
8 City of Fort Wayne, Indiana, did enact an Ordinance, Special Ordinance No.  
9 S-159-75, which was approved and signed by the Mayor on August 27, 1975, and;

10 WHEREAS, on September 23, 1975, the Board of Public Works determined  
11 that in the best interest of the public the need existed for many more  
12 repairs than were contemplated under said Special Ordinance No. S-159-75; and

13 WHEREAS, said contract was awarded on a unit cost basis and therefore  
14 it was the intent and purpose of the Board that said contract should have  
15 been awarded on a blanket contract basis on unit costs rather than as the  
16 erroneously approved in Special Ordinance S-200-75 which Ordinance should  
17 be repealed.

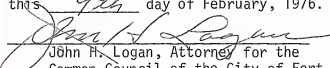
18 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
19 FORT WAYNE, INDIANA:

20 SECTION 1. The contract between the City of Fort Wayne, Indiana,  
21 by and through its Mayor and the Board of Public Works and CONTINENTAL  
22 CONSTRUCTION COMPANY, in connection with Resolution of the Board of Public  
23 Works, No. R-62-255-6, for miscellaneous repairs or construction of curbs,  
24 sidewalks, and streets, at various times in any area of said City of Fort  
25 Wayne, shall be and hereby is approved as a blanket contract based on unit  
26 costs with CONTINENTAL CONSTRUCTION COMPANY agreeing to hold firm through  
27 1975 the unit prices quoted in its bid document submitted to the Board of  
28 Public Works on May 9, 1975.

29 SECTION 2. This Ordinance shall be in full force and effect from  
30 and after its passage and approval by the Mayor.

31  
32   
33 Councilman

34  
35 Approved by me as to form and legality  
this 9th day of February, 1976.

  
John H. Logan, Attorney for the  
Common Council of the City of Fort Wayne, IN

Read the first time in full and on motion by Mrs, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Public Works (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 1976, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 2-10-76 Charles W. Winterman  
CITY CLERK

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	<u>9</u>	<u>0</u>			
BURNS	<input checked="" type="checkbox"/>				
HINGA	<input checked="" type="checkbox"/>				
HUNTER	<input checked="" type="checkbox"/>				
MOSES	<input checked="" type="checkbox"/>				
NUCKOLS	<input checked="" type="checkbox"/>				
SCHMIDT, D.	<input checked="" type="checkbox"/>				
SCHMIDT, V.	<input checked="" type="checkbox"/>				
STIER	<input checked="" type="checkbox"/>				
TALARICO	<input checked="" type="checkbox"/>				

DATE: 2-24-76 Charles W. Winterman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 54-76 on the 24th day of February, 1976.

ATTEST: (SEAL) James Stier  
Charles W. Winterman CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25 day of February, 1976, at the hour of 2:00 o'clock P M., E.S.T.

Charles W. Winterman  
CITY CLERK  
Pocket Veto by the Mayor so  
Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_,  
declined by the clerk - Friday - March 5, 1976.  
at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
MAYOR

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted; read the second time by title and referred to the Committee on \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: \_\_\_\_\_ CITY CLERK

Read the third time in full and on motion by Solunio, seconded by Hinga, and duly adopted, placed on its passage. Passed (LOST) by the following vote: (2/3 vote is needed to override the Mayor's Veto)

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	<u>9</u>	<u>0</u>			
BURNS	<u>X</u>				
HINGA	<u>X</u>				
HUNTER	<u>X</u>				
MOSES	<u>X</u>				
NUCKOLS	<u>X</u>				
SCHMIDT, D.	<u>X</u>				
SCHMIDT, V.	<u>X</u>				
STIER	<u>X</u>				
TALARICO	<u>X</u>				

DATE: 2-9-76

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution No. 5476 on the 9th day of March, 1976.)

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

MAYOR

Ask. B of work.

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Bill No. S-76-02-18

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance  
approving a contract awarded on a unit cost basis and repealing Special  
Ordinance No. S-200-75

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance DO PASS.

Winfield C. Moses, Jr. - Chairman

Donald J. Schmidt - Vice-Chairman

Vivian G. Schmidt

Paul M. Burns

William T. Hinga

Winfield C. Moses, Jr.  
Donald J. Schmidt  
Vivian G. Schmidt  
Paul M. Burns  
William T. Hinga

Pursuant to law I, Charles W. Westerman, City Clerk of Fort Wayne and Clerk of the Common Council, on this date March 9, 1976, presented to the members of the Common Council Bills No. G-76-02-38 and S-76-02-18 pocket vetoed by Robert E. Armstrong, Mayor of the City of Fort Wayne, for deliberation and action pursuant to the law by this legislative body.

Charles W. Westerman  
City Clerk



FORT WAYNE, INDIANA 46802

office of the mayor

March 9, 1976

TO THE MEMBERS OF THE COMMON COUNCIL:

The comments concerning the approval as to legality set forth in my message concerning Bill G-76-02-38 also relate to this special ordinance, S-54-76.

This ordinance refers to actions taken in August and September, 1975, and refers to special ordinance S-200-75 which ordinance was apparently erroneously approved. Said approval may have caused the improper bidding of a contract. For these reasons, this ordinance is returned to the Council without my signature.

Respectfully submitted,

A handwritten signature in cursive script that reads "Robert E. Armstrong".

Robert E. Armstrong  
Mayor

REA:ip

